



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-586**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Mikhail Boguslavskiy** in the sum of **\$1,506.58** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of an automobile accident on December 2, 2003 at 350 Carpenter Drive** as set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,  
*Rhonda Daughin Johnson*  
Municipal Clerk

**ADOPTED by the Council  
APPROVED by the Mayor**

April 19, 2004  
April 27, 2004

RCS# 5585  
4/19/04  
3:03 PM

Atlanta City Council

## Regular Session

CONSENT I

CONSENT I PG(S) 1-18, EXCEPT:04-R-0538  
04-O-0487 04-R-0473  
ADOPT

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 04L0047

Date: March 16, 2004

Claimant /Victim MIKHAIL BOGUSLAVSKIY  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 601 Autumn Lane, Marietta, Georgia 30068  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,530.00 Bodily Injury \_\_\_\_\_  
Date of Notice: 1/26/04 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 12/2/03 Place: 350 Carpenter Road  
Department WATERSHED MANAGEMENT Bureau Drinking Water  
Employee involved Derrick Johns Disciplinary Action: Written reprimand

**NATURE OF CLAIM:** Claimant's vehicle sustained damage when it was backed into by a City vehicle.

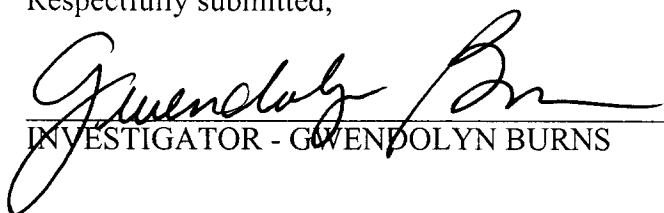
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

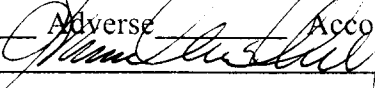
**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial X  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 1,506.58 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 03/17/04  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

REC'D

RE: CLAIM FOR DAMAGES

Today's Date:

1-21-04

JAN 26 2004

ENTERED - 2-2-04 - SB  
04L0047 - GWEN BURNS

Dear Municipal Clerk:

MUNICIPAL CLERK

1430. car damage  
100. 5 day rental  
car

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1530.00 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: Dec. 2, 2003 2. Time of Incident: 1:45 (approx) 3. Police called: ✓  
(month/day/ year) Yes No
4. Location of incident (including street address): 350 CARPENTER DR. ATLANTA, GA 30328
5. Name of your insurance company: State Farm Policy No. P11 9139 A09- 11c
6. State what and how incident occurred: I was following a water meter truck on Carpenter Drive that was moving slowly and stopping. When he stopped he started to back up. I put my car in reverse and honked but his truck backed into my car damaging the fender and light. The police ticketed him for improper backing.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).  
Your vehicle: Honda Accord 1996 330XLD Mikhail Boguslavskiy  
(Make) (Year) (Tag Number) (Driver's Name)  
City vehicle: Truck DERRICK JOHNS CITY OF ATLANTA WATER  
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. Claims must be received within 6 months of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Boguslavskiy  
Signature of Claimant

Mikhail Boguslavskiy  
(Print Claimant's Name)

601 Autumn Lane  
(Address)

Marietta, GA 30068  
(City, State and Zip Code)

770-650-8280  
(Work Number)

770-650-8280  
(Home Number)

04- R -0586

Entered - 02-02-04 - sb  
CL 04L0047 - GWENDOLYN BURNS

CLAIM OF: **MIKHAIL BOGUSLAVSKIY**  
601 Autumn Lane  
Marietta, Georgia 30068

**04- 12 -0586**

For vehicular damages alleged to have been sustained as a result of an automobile accident on December 2, 2003 at 350 Carpenter Drive.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **MIKHAIL BOGUSLAVSKIY** the sum of **\$1,506.58** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on December 2, 2003 at 350 Carpenter Drive as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**.

APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 3/30/04

CHAIR: [Signature]

[Signature]

[Signature]

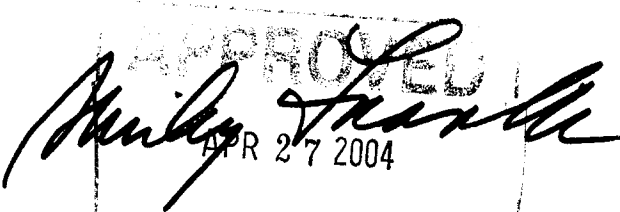
[Signature]

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[Signature]

[Signature]

  
**APPROVED**  
**APR 27 2004**  
**MAYOR**

**ADOPTED BY**  
**APR 19 2004**  
**COUNCIL**

**COUNCIL PRESIDENT PROTEM**

**CERTIFIED**  
**APR 19 2004**  
**[Signature]**  
MUNICIPAL CLERK